

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

FILED

FEB 27 2002

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS

CENTER FOR BIOLOGICAL DIVERSITY, §

Plaintiff, §

VS. §

UNITED STATES FISH AND WILDLIFE §
SERVICE, §

Defendant. §

CIVIL ACTION NO. SA-01-CA-1139-FB

ORDER GRANTING DEFENDANT'S UNOPPOSED MOTION
TO AMEND SCHEDULING ORDER

Before the Court is Defendant's Unopposed Motion to Amend the Scheduling Order filed February 25, 2002. Defendant seeks an additional one week of time to file its cross motion for summary judgment and response to plaintiff's motion for summary judgment because counsel for the defendant has just learned of a sudden, serious illness in his family that will make it impossible for him to respond by the March 11, 2002 deadline. The Court finds the unopposed motion has merit and should be granted.

Accordingly, IT IS HEREBY ORDERED that Defendant's Unopposed Motion to Amend the Scheduling Order (docket #25) is GRANTED such that the Scheduling Order filed in this case on February 2, 2002 (docket #19) , is amended as follows:

1. **March 1, 2002** – Plaintiff will file a motion for summary judgment (limit of 30 pages, including statement of facts).
2. **March 18, 2002** - Defendant and any Defendant-Intervenor will each file a response to plaintiff's motion for summary judgment and cross-motion for summary judgment (limit of 30 pages for each brief, including a statement of facts).

26.

3. **March 26, 2002** - Plaintiff will file a combined reply in support of its motion for summary judgment and responses to Defendant's and any Defendant-Intervenor's cross-motions for summary judgment (limit of 15 pages).
4. **April 2, 2002** - Defendant and any Defendant-Intervenor will each file a reply in support of their cross-motions for summary judgment (limit of 10 pages for each brief).

It is so ORDERED.

SIGNED this 27th day of February, 2002.



FRED BIERY
UNITED STATES DISTRICT JUDGE